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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,347	09/29/2000	Michio Kobayashi	81754.0041	2194

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EXAMINER

STULBERGER, CAS P

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/676,347	<b>Applicant(s)</b> KOBAYASHI, MICHIO	
	<b>Examiner</b> Cas Stulberger	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2004.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: application, filed 09/29/2000; amendment filed 10/14/2004.
2. Claims 1-26 are pending in the case. Claims 1, 3, and 14 are independent claims.

### ***Response to Amendment***

3. Applicant argues that Schumacher does not disclose "at least one of user ID information and/or password information." Applicant's arguments, see amendment, filed 10/14/2004, with respect to the rejection(s) of claim(s) 1-23 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,269,446 B1 to Schumacher et al. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. Patent Application Publication 2002/00592331 A1 to Kuwano et al.

### ***Drawings***

4. The drawings were received on 10/14/2004. These drawings are acceptable. The text has been corrected to fit into the corresponding boxes.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 1 recites the limitation "personal information input means for entering personal information wherein said personal information..." in lines 4-6 and "personal information storing means for storing personal information" in line 7. It is unclear whether applicant is referring to the previous personal information or different personal information newly disclosed by the limitation. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 7 recites the limitation "personal information storing means for storing personal information" in line 3 and "personal information input means for entering personal information" in line 5. It is unclear whether applicant is referring to the previous personal information or different personal information newly disclosed by the limitation. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,269,446 B1 to Schumacher et al. in view of U.S. Patent Application 2002/0059231 A1 Kuwano et al.

10. In regards to claims 1 and 3, Schumacher discloses authenticating images of digital cameras (Schumacher: Abstract). This meets the limitation of "data input means for entering data." Schumacher also discloses authenticating an image from a digital camera with GPS-

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derived time and location data (Schumacher: Abstract). This meets the limitation of “authenticating information adding means for generating information authenticating that the data have been entered by the use of said data input means on the basis of information acquired from outside and adding the generated information to the entered data.” Schumacher discloses that the invention authenticates image data from digital cameras that have captured GPS-derived data as well as image data (Schumacher: column 2, lines 4-6). The serial number of the camera is included with the message digest which is used to verify the authenticity of the image data (Schumacher: column 2, lines 6-10, 22-25). This meets the limitation of “When the personal information entered by said personal information input means and the personal information of said personal information storing means satisfy a prescribed relationship, said authenticating information adding means further adds the personal information of said personal information storing means to the image data.” Schumacher however does not disclose “personal information input means for entering personal information wherein said personal information includes at least one of user ID information and password information and personal information storing means for storing personal information.”

11. Kuwano discloses user authentication by inputting the device ID of the device in which the user is registered as a user and user information composed of user ID and password (Kuwano: page 6, paragraph 0104). This meets the limitation of “personal information input means for entering personal information wherein said personal information includes at least one of user ID information and password information and personal information storing means for storing personal information.” Kuwano also discloses that the device ID is contained in said user ID information (Kuwano: page 7, paragraph 0114).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of authenticating images from digital camera as disclosed by Schumacher with the method of entering the user ID and password as disclosed by Kuwano in order to identify the user who is attempting to have access to the image file forming the subject of access in order to control both read access and write access (Kuwano: page 1, paragraph 0015).

12. In regards to claims 2, 5, and 6, Schumacher discloses adding GPS derived location to the image data (Schumacher: Figure 4).

13. In regards to claims 4, Schumacher discloses adding the time at which the image was taken to the image data (Schumacher: Figure 4; Abstract).

14. In regards to claims 7, 8, and 26, Schumacher discloses including camera information such as serial number, size information, exposure information, and the like (Schumacher: Figure 4; column 2, lines 6-12). This meets the limitation of “adding personal information”

15. In regards to claims 9 and 10, Schumacher discloses a message digest is computed from a hashing function which takes the time, location, image, and camera information as inputs to the function (Schumacher: Figure 3-4 column 4, lines 39-46). This meets the limitation of “generating inspection information by means of a hash function.”

16. In regards to claims 11 and 12, Schumacher discloses encrypting the message digest with a private key. This meets the limitation of “encrypting the data containing the added authenticating information using a public key encryption method.”

17. In regards to claims 13, Schumacher discloses that the image data is stored on a memory medium where the information is verified (Schumacher: column 5, lines 14-17).

18. In regards to claims 14-20, Schumacher discloses forming a digital signature of GPS data including time and location and affixing it to the image data (Schumacher: Figure 3-4, column 4, lines 9-65) Schumacher also discloses encrypting the data with the private key and decrypting it with the public key (Schumacher: column 1, lines 40-44).

19. In regards to claims 21-23, Schumacher discloses that a public key is obtained and used to decrypt the digital signature (Schumacher: column 5, lines 23-28). This meets the limitation of “receiving means by a public key.”

20. In regards to claim 24, Schumacher discloses image data (Schumacher: column 1, lines 66-67; column 2, lines 1-3).

21. In regards to claims 25, Schumacher discloses CCD sensors, which measure light intensity (Schumacher: column 3, lines 56-58).

*Conclusion*

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (571) 272-3810. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 6:00P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3810. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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